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15 **UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

16 \_\_\_\_\_ )  
17 ECOLOGICAL RIGHTS )  
18 FOUNDATION, a non-profit corporation )  
19 Plaintiff, ) Case No. 4:24-cv-03665-HSG  
20 v. )  
21 UNITED STATES ENVIRONMENTAL )  
22 PROTECTION AGENCY, and )  
23 MICHAEL S. REGAN, as Administrator )  
24 of the United States Environmental )  
25 Protection Agency, )  
26 \_\_\_\_\_ )  
27 *Defendants.* \_\_\_\_\_ )  
28 \_\_\_\_\_ )

29 **STIPULATION AND ORDER TO  
CONTINUE LITIGATION  
DEADLINES (as modified)**

1 Plaintiff Ecological Rights Foundation and Defendants United States Environmental  
2 Protection Agency (“EPA”) and Michael S. Regan, Administrator of the EPA (collectively, the  
3 “Parties”) stipulate as follows:

4 1. The Parties have reached a tentative settlement that resolves all claims identified in  
5 Plaintiff’s Notice of Intent and First Amended Complaint in this matter. *See* ECF 23.

6 2. The Parties have negotiated a proposed consent decree, and Defendants have secured  
7 approval from senior-level officials for the proposed settlement.

8 3. The proposed consent decree has been published in the Federal Register for a 30-day  
9 public notice and comment period consistent with EPA policy. The comment period closes  
10 December 26, 2024. The notice is available here: <https://www.regulations.gov/document/EPA-HQ-OGC-2024-0531-0001>.

12 4. The Parties agree that an extension of all litigation deadlines is appropriate to conserve  
13 resources and allow the parties the time necessary to finalize the settlement.

14 5. Per this Court’s November 5, 2024, Order, ECF 27, the current litigation deadlines are  
15 as follows:

16 December 23, 2024 – Responsive Pleading Deadline

17 December 30, 2024 – Deadline to file ADR Certification

18 December 30, 2024 – Deadline to meet and confer re: initial disclosures, early  
19 settlement, ADR process selection, and discovery plan

20 January 14, 2025 – Deadline to make initial disclosures

21 January 15, 2025 – Deadline to file Joint Case Management Statement

22 January 21, 2025 at 2 p.m. – Initial Case Management Conference

24 6. The Parties seek to continue all case management deadlines as follows to  
25 accommodate the public notice and comment period. Provided there are no comments that EPA  
26 finds warrant any change, the Parties intend to move for entry of the proposed consent decree  
27 after the comment period closes. The Parties agree to amend the deadlines as follows:  
28



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4  
**ORDER**  
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7 The Parties' Joint Stipulation to continue all case management deadlines is **GRANTED**  
8 and the following deadlines are entered:

9 January 17, 2025 – Responsive Pleading Deadline  
10

11 January 24, 2025 – Deadline to file ADR Certification

12 January 24, 2024 – Deadline to meet and confer re: initial disclosures,  
13 early settlement, ADR process selection, and discovery plan

14 February 14, 2025 – Deadline to make initial disclosures

15 February 14, 2025 – Deadline to file Joint Case Management Statement

16 February 25, 2025 at 2 p.m.— Initial Case Management Conference via a  
17 Zoom webinar. The Zoom webinar information and instructions remain  
18 the same as previously provided in docket no. 15.

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20  
21 PURSUANT TO STIPULATION, IT IS SO ORDERED.  
22

23 Date: 12/18/2024

  
The Honorable Haywood S. Gillam, Jr.